

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
9 AT SEATTLE

10 URBAN LEAGUE VILLAGE LLC, et
11 al.,

12 Plaintiffs,

13 v.

14 OMARI TAHIR-GARRETT,

15 Defendant.
16

CASE NO. C21-536 MJP

ORDER DENYING MOTION TO
RECUSE

17 This matter comes before the Court on Defendant Omari Tahir-Garrett's Motion to
18 Recuse, styled an "Affidavit of Prejudice." (Dkt. No. 17.) Having reviewed the Motion, the
19 Court DENIES the Motion.

20 In his motion, Tahir-Garrett alleges that there is a personal conflict of interest between
21 him and the undersigned and that the undersigned has a personal bias against him. (Dkt. No. 17
22 at 2.) Tahir-Garrett asserts that the undersigned is "part of an ongoing illegal and
23 unconstitutional effort, by multiple parties, to prevent plaintiff [Tahir-Garrett] from receiving my
24 full regular Social Security retirement benefits under the letter of the law of the Social Security

1 Act as amended.” (Id.) Tahir-Garrett asserts that the undersigned is “the simultaneous presiding
2 judge in this dispute between [Tahir-Garrett] and the Social Security Administration, in the
3 ongoing practice of banning me from entering any Social Security building for the rest of my
4 natural life specifically to prevent me from adjusting and correcting this ongoing non-accidental
5 ‘error’ on their part that continued to daily impact and deprive me.” (Id. at 3.) Tahir-Garrett
6 “demand[s] that Marsha J Pechman be recused from this case and that a non-biased Indigenous
7 Native American Tribal Judge be assigned instead.” (Id.)

8 The Court is not aware of the undersigned judge’s involvement in any pending matter
9 between Tahir-Garrett and the Social Security Administration or involving his right to access
10 Social Security buildings. And Tahir-Garrett does not identify the matter to which he refers. The
11 Court has nonetheless reviewed the electronic case filing system (ECF) for this District and
12 identified a criminal matter to which Tahir-Garrett (aka James C. Garrett) may be referring:
13 United States v. Garrett, CR11-216 MJP (W.D. Wash. 2011). In that matter, after a trial before
14 Magistrate Judge Theiler, Tahir-Garrett was convicted of a misdemeanor offense of creating a
15 disturbance at a Social Security building in Seattle and ordered to pay \$80 with no jail time.
16 Garrett, CR11-216 MJP Dkt. No. 5 at 85-87. Magistrate Judge Theiler did not issue any orders
17 impeding Tahir-Garrett from interacting with the Social Security Administration, denying him
18 Social Security benefits, or banning him from the premises. The undersigned then denied Tahir-
19 Garrett’s appeal, which similarly did not impact his right to access Social Security buildings or
20 obtain Social Security benefits. (Dkt. No. 10.) Based on the Court’s review of the record in that
21 matter, the Court finds no basis to believe the Court has any bias against Tahir-Garrett. It is the
22 finding of this Court that no “reasonable person with knowledge of all the facts would conclude
23
24

1 that the judge's partiality might reasonably be questioned," notwithstanding this prior adverse
2 ruling. Yagman v. Republic Ins., 986 F.2d 622, 626 (9th Cir. 1993).

3 The Court has also identified four other matters on ECF involving Tahir-Garrett that were
4 assigned to this undersigned judge. See James C. Garrett v. City of Seattle, C99-1233 MJP; James
5 C. Garrett v. City of Seattle, et al., C10-94 MJP; James C. Garrett v. Seattle Public School
6 District, et al., C10-215 MJP; and Omari Tahir v. Ronald English, et al., C15-1819 MJP. None of
7 those cases involved claims relating to the Social Security Administration or Tahir-Garrett's
8 access to Social Security buildings and the Court finds that none of them provides a basis for
9 recusal. See Yagman, 986 F.2d at 626.

10 In accordance with the Local Rules, this matter is referred to U.S. Chief District Judge
11 Ricardo S. Martinez for review of Tahir-Garrett's recusal request and this Court's denial of that
12 request.

13 The clerk is ordered to provide copies of this order to Tahir-Garrett and all counsel.

14 Dated May 20, 2021.

15 

16 Marsha J. Pechman
17 United States Senior District Judge
18
19
20
21
22
23
24